

with the needs to avoid squandering the Commission's resources, being fair to other applicants and avoiding interference to other stations.

MODIFICATION AND CORRECTION OF APPLICATIONS

The NTA believes it is consistent with the philosophy outlined above and in the public interest to allow corrections to be made to applications as the need arises during processing.

If a correction or modification does not conflict with an earlier entry in the database (whether license, CP or application) or a simultaneously filed application, then it should be permitted, even if it results in an increase in the signal range.

The following are two examples of problems that have occurred in the past, but which should be correctable even though the reach of the signal would change:

1. The effective radiated power is in error and understated because the antenna gain in dB is erroneously used in the calculation instead of the power multiplier -e.g. if the gain is 15 dB, corresponding to a proper multiplier of 31.6 the application ERP value would be about one half of the intended and proper value.

2. The geographical coordinates and the plotted site on the map exhibit do not agree. In such circumstances the coordinates are usually in error and a correction will shift location and change the reach of the proposed coverage.

These are offered as examples to illustrate the point, but without restricting the principle.

We also believe, however, that any amendment should be secondary to a simultaneously filed application that is correct as filed. This is simple fairness.

The thirty day time period for corrections seems a good compromise. A shorter time will produce corrections that are not fully researched because of inadequate time, but allowing too much time will extend the overall processing period.

The NPRM in Para. 9 proposes to allow "minor change" amendments to applications that violate the LPTV interference protection standards. We suggest this is desirable but more restrictive than necessary. For instance, one change which might help in some circumstances would be a change of channel. It does not seem that such a change would be unfair to any interested party if the application with the new channel meets the interference protection standards. However, such a change would have to be made well in advance of a succeeding window so applicants in that window would be aware of the change.

It should be noted that a post acceptance deficiency of a determination of a possible hazard to air navigation would generally require an application to the FAA for their decision. The thirty day period should apply to making application to the FAA, not to a final resolution.

TERRAIN SHIELDING

A request for a terrain shielding waiver is simply bringing an important factor, which is present in actuality, into the decision making process. Accordingly, the present policy of rejecting an application with a terrain shielding waiver that is

mutually exclusive with another application in the same window is basically unfair. Thus the NTA recommends that an application with a terrain shielding waiver be treated as a normal application even if it happens to mutually exclusive with a simultaneously filed application.

In the case where an application, as filed, does not meet the LPTV interference protection standard the NTA does not recommend that the Commission allow the introduction of a terrain shielding waiver as a cure. We accept the principle that applicants have an obligation to be diligent and not call on the Commission's resources to double process an application for lack of the applicant having determined the need for the terrain shielding waiver.

The case of mutually exclusive applications is just the opposite, however. The window process purposely prevents most applicants from knowing what other applicants will file. The introduction of terrain shielding allows the processing to be done on the basis of the physical circumstances that actually exist, with the additional information introduced when the need for and scope of it becomes known. This becomes a balance between fairness and a modest extra use of the Commission's resources. We believe in balance that the choice to take terrain shielding into account in these instances is clearly in the public interest.

DEFINITION OF A MINOR CHANGE

The NTA believes the present definition of a "Minor Change" is overly restrictive. We believe the public interest is served by licensees and CP holders having the maximum flexibility to make necessary changes, subject only to protecting the interests of potential future new applicants who must wait for a future window. The proposed new definition as outlined in the NPRM provides

improved flexibility while preventing a minor change move of a station to serve an unrelated area. Further, it is easy to understand and, we think, to administer.

One addition to the definition is requested, however. Consider the example where a community has one or more translators on an elevated site at one end of a valley with the community in the valley. If it became desirable to move the translator site to the other end of the valley and serve the community from the opposite direction, the move would generally not fit even the proposed new definition as the new site would probably be outside the bounding circle. The new definition should not disqualify a move, otherwise acceptable, as a minor change, if

- a) the new transmitter site is outside the bounding circle but is in a substantially uninhabited area and
- b) any area included in the new protected contour but which is outside the bounding circle is also substantially uninhabited.

The NTA agrees it is probably better not to extend the new definition of a minor change to pending applications until there is experience with it in practice. However, it would be desirable to ultimately have only one definition of a minor change, presumably the new one.

CALL SIGNS FOR LPTV STATIONS

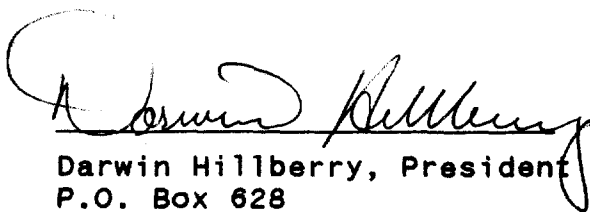
Call signs are not much of an issue with translator operators as they generally provide the minimum identification required by the FCC rules and such identification is invisible to the public. Translators would, in fact, prefer to have no identification

requirement at all. However, some of our members are also LPTV station operators and would benefit from the better public perception that would go with standard four letter call signs.

It appears that "Option 1" in the NPRM which would require an LPTV station to satisfy certain operating criteria before being eligible for four letter call signs is complex and serves no useful purpose. The simplest approach and the one that would impose the least burden on the FCC's resources would be to simply allow any LPTV station to have a four letter call sign on request.

We do suggest, however, that LPTV CP holders be allowed to apply for and be granted a specific four letter call sign so that the call sign is available before turn on and the station can begin to build viewer recognition and local community identification just before and during the turn-on period when stations usually try to get publicity.

Respectfully submitted,
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